



Sen. Don Harmon

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09500SB1988sam001

LRB095 17527 RAS 45014 a

1 AMENDMENT TO SENATE BILL 1988

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1988 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Highway Advertising Control Act of 1971 is  
5 amended by changing Sections 3.12 and 6.01 as follows:

6 (225 ILCS 440/3.12) (from Ch. 121, par. 503.12)

7 Sec. 3.12. (a) "Business area" means any part of an area  
8 adjacent to and within 660 feet of the right-of-way which is at  
9 any time zoned for business, commercial or industrial  
10 activities under the authority of any law of this State; or not  
11 so zoned, but which constitutes an unzoned commercial or  
12 industrial area as defined in Section 3.11. However, as to  
13 signs along Interstate highways, the term "business area"  
14 includes only areas which are within incorporated limits of any  
15 city, village, or incorporated town, as such limits existed on  
16 September 21, 1959, and which are zoned for industrial or

1 commercial use, or both, or to portions of Interstate highways  
2 which traverse other areas where the land use, as of September  
3 21, 1959, was established by State law as industrial or  
4 commercial, or both.

5 With respect to signs owned or leased by the State or a  
6 political subdivision, an area zoned for business, commercial,  
7 or industrial activities that is adjacent to and within 660  
8 feet of an Interstate highway and that is in Township 41 North,  
9 Range 10 East and Townships 40, 41, 42 North, Range 12 East of  
10 the Third Principal Meridian, shall be deemed a "business area"  
11 for purposes of this Act. This zoning must have been a part of  
12 comprehensive zoning and not have been created primarily to  
13 permit outdoor advertising structures as described in 23 CFR  
14 750.

15 (b) The changes to this Section made by this amendatory Act  
16 of the 95th General Assembly are intended to comply with the  
17 federal Highway Beautification Act of 1965, 23 U.S.C. 131, and  
18 the regulations promulgated thereunder by the Secretary of the  
19 United States Department of Transportation. To the extent that  
20 the Secretary of the United States Department of Transportation  
21 or any court finds the changes to this Section made by this  
22 amendatory Act to be inconsistent with or preempted by such law  
23 or regulations, the changes shall be repealed to the extent  
24 necessary to cure such inconsistency or preemption.

25 (c) The provisions of this amendatory Act of the 95th  
26 General Assembly shall not be applicable if such application

1 would impact the receipt, use, or reimbursement of federal  
2 funds by the Illinois Department of Transportation.

3 (Source: P.A. 95-340, eff. 1-1-08.)

4 (225 ILCS 440/6.01) (from Ch. 121, par. 506.01)

5 Sec. 6.01. Size of signs.

6 (a) Except as otherwise provided in this Section, no ~~no~~  
7 sign may be erected which exceeds 1,200 square feet in area, 30  
8 feet in height and 60 feet in length, including border and  
9 trim, but excluding ornamental base or apron, supports and  
10 other structural members. Except as otherwise provided in this  
11 Section and except with respect to the repair, rebuilding, or  
12 replacement of any sign lawfully erected before January 1,  
13 1993, no sign may be erected after the effective date of this  
14 amendatory Act of 1992 in any county with a population under  
15 2,000,000 that exceeds 800 square feet in area, excluding  
16 extensions and cut-outs; the extensions and cut-outs may  
17 account for no more than an additional 20% in sign surface  
18 area. The maximum size limitation shall apply to each side of a  
19 sign or sign structure. A maximum of 2 signs may be erected in  
20 a facing, in which event the facing shall be deemed to be one  
21 sign, the size of which may not exceed the dimensions listed in  
22 this Section. Signs may be double faced or be placed back to  
23 back or V-type or triangular, provided that the angle between  
24 sign faces shall not exceed 90 degrees. The area shall be  
25 measured by the smallest square, rectangle, triangle, circle or

1 combination thereof which will encompass the entire sign.

2 (b) With respect to signs owned or leased by the State or a  
3 political subdivision that are adjacent to and within 660 feet  
4 of an Interstate highway and that are in Township 40 North,  
5 Range 12 East, no sign may be erected that exceeds 42 feet in  
6 height, 90 feet in length, and 3780 square feet in display  
7 area.

8 (c) The changes to this Section made by this amendatory Act  
9 of the 95th General Assembly are intended to comply with the  
10 federal Highway Beautification Act of 1965, 23 U.S.C. 131, and  
11 the regulations promulgated thereunder by the Secretary of the  
12 United States Department of Transportation. To the extent that  
13 the Secretary of the United States Department of Transportation  
14 or any court finds the changes to this Section made by this  
15 amendatory Act to be inconsistent with or preempted by such law  
16 or regulations, the changes shall be repealed to the extent  
17 necessary to cure such inconsistency or preemption.

18 (d) The provisions of this amendatory Act of the 95th  
19 General Assembly shall not be applicable if such application  
20 would impact the receipt, use, or reimbursement of federal  
21 funds by the Illinois Department of Transportation.

22 (Source: P.A. 91-774, eff. 1-1-01.)".